

Message Text

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15

ORIGIN COME-00

INFO OCT-01 CIAE-00 DODE-00 EB-11 NSAE-00 RSC-01 TRSE-00

EUR-25 AEC-11 ISO-00 SS-20 MC-02 /071 R

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R 042158Z FEB 74

FM SECSTATE WASHDC

TO USMISSION OECD PARIS

C O N F I D E N T I A L STATE 023106

EXCON

E.O. 11652: XGDS-1

TAGS: ESTC, COCOM, GW, UR

SUBJ: GERMAN NUMERICAL CONTROL SYSTEM TO USSR - I/L-1091

REF: A. COCOM DOC.(73)2462

B. STATE 9745

C. OECD PARIS 1882

1. INVESTIGATION INTO SITUATION PRESENTED PARA 3, REF B REVEALS:

(A) THREE SPC-16 COMPUTERS QUALIFYING FOR I/L-1565 AN TREATMENT, PLUS VARIOUS ACCESSORIES, SUCH AS CONSOLE TELETYPE CONTROLLER, BUFFERED CONTACT OUTPUT, ETC., ERRONEOUSLY REVIEWED AND LICENSED FOR REEXPORT FROM WEST GERMANY TO USSR AS I/L-1565 RATHER THAN I/L-1091 EQUIPMENT. IT IS PROBABLY MORE ACCURATE TO CHARACTERIZE USA LICENSING OF THIS TRANSACTION AS HAVIG RESULTED FROM MIS-UNDERSTANDINGS OF BOTH U.S.GOVERNMENT AND APPLICANT RATHER THAN MISREPRESENTATION BY APPLICANT.

(B) EQUIPMENT IN (A) ABOVE SOLD BY APPLICANT'S WEST GERMAN SUB-SIDIARY ELEKTRONISCHE RECHENANLAGEN (ERA) TO MESSER GRIESHEIM IN FRANKFORT FOR INCORPORATION ONTO THREE FLAME CUTTING MACHINES
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CONSIGNED TO MACHINE AND METALLURGICAL WORKS (KIROW", LENINGRAD

FOR MANUFACTURE OF AGRICULTURAL MACHINES.

(C) ON EFLAME CUTTER, INCLUDING US-ORIGIN CNC SYSTEM (SPC-16 AND ACCESSORIES) REPORTEDLY ALREADY EXPORTED TO SOVIET CONSIGNEE UNDER GERMAN EXPORT AUTHORIZATION NR. 239300. SHIPMENT REMAINING TWO REPORTED IMMINENT.

2. RE QUESTIONS PARA 2, REF C:

(I) SINCE (A) US-ORIGIN EQUIPMENT ALREADY SOLD TO MESSER CRIESHEIM, THESE ITEMS NOW BEYOND US CONTROL AND NOW UNDER GERMAN CONTROL.

(II) US INTENDS TAKE NO COMPLIANCE ACTION AGAINST US APPLICANT SINCE AS NOTED IN PARA 1 (A), LICENSING WAS THE PRODUCT OF MISUNDERSTANDING ON PART OF US AUTHORITIES AND APPLICANT RATHER THAN ON MISREPRESENTATION BY LATTE.

(III) US PLANS TAKE NO FURTHER ACTION ON MATTER. US STILL OBJECTS TO COCOM (73)2462 (REF A) FOR REASONS GIVEN REF B. IT WORTHWHILE, HOWEVER, STRESS CLEAR NEED, BASED ON THIS RECENT US EXPERIENCE, FOR ALL PC'S MAINTAIN VIGILANCE AGAINST REPETITION I/L-1091 EQUIPMENT INADVERTENTLY SLIPPING THROUGH COCOM EMBARGO. KISSINGER

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